

ROBERT B. PINCUS in his capacity as

Special Master for the United States District Court for the District of Delaware

PO Box 4570

Wilmington, DE 19807

October 8, 2024

VIA ELECTRONIC FILING

The Honorable Leonard P. Stark
United States District Court for the District of Delaware
J. Caleb Boggs Federal Building
844 North King Street
Wilmington, DE 19801-3570

RE: *Crystallex International Corporation v. Bolivarian Republic of Venezuela*,
D. Del. C.A. No. 1:17-mc-00151-LPS (the “*Crystallex Case*”); Response to
October 2, 2024 *Oral Order* (D.I. 1340)

Dear Judge Stark:

I write regarding the Court’s October 2, 2024 *Oral Order* (D.I. 1340) directing me to (a) submit a revised proposed order for the Court to consider in connection with the pending Injunction Motion and (b) advise the Court of my position regarding whether it should conduct proceedings to determine whether PDVH is the alter ego of PDVSA, and if so, how, by what mechanism, and on what schedule.¹

Since the October 1, 2024 hearing, I have engaged in extensive conversations with Crystallex, ConocoPhillips, and the proposed purchaser, Amber Energy Inc., regarding both the revised proposed order and whether and how the Court should conduct proceedings to determine whether PDVH is the alter ego of PDVSA. At this time, I respectfully request additional time to continue those conversations in an effort to reach consensus and submit to the Court revisions to the proposed order that have the support of multiple stakeholders. Accordingly, I respectfully request that the Court extend the deadline for the proposed order and my position on the alter ego issues to October 18, 2024, which would align with the timeline applicable to the Joint Status Report requested by the Court in its October 2, 2024 *Oral Order* (D.I. 1339).

Respectfully submitted,

/s/ Robert B. Pincus

Robert B. Pincus, in my capacity as Special Master
for the United States District Court for the District
of Delaware

cc: All Counsel of Record (via CM/ECF and E-Mail)

¹ All capitalized terms used but not otherwise defined herein shall have the meanings ascribed to such terms in the *Sixth Revised Proposed Order (A) Establishing Sale and Bidding Procedures, (B) Approving Special Master’s Report and Recommendation Regarding Proposed Sale Procedures Order, (C) Affirming Retention of Evercore as Investment Banker by Special Master and (D) Regarding Related Matters* (D.I. 481) (the “**Sale Procedures Order**”) or the *Special Master’s Motion to Enjoin the Alter Ego Claimants from Enforcing Claims Against the Republic or PDVSA by Collecting from PDVH or its Subsidiaries in Other Forums* (D.I. 1248).